



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Levine et al.**

Serial No.: **10/675,721**

Filed: **September 30, 2003**

For: **Method and Apparatus to  
Autonomically Select Instructions for  
Selective Counting**

**35525**

PATENT TRADEMARK OFFICE  
CUSTOMER NUMBER

§  
§  
§  
§  
§  
§

Group Art Unit: **2191**

Examiner: **Nahar, Qamrun**

Attorney Docket No.: **AUS920030483US1**

**Certificate of Mailing Under 37 C.F.R. § 1.8(a)**

I hereby certify this correspondence is being deposited with the United States Postal Service as First Class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

June 22<sup>nd</sup> 2006

By:

Louise Fay

**TRANSMITTAL DOCUMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

ENCLOSED HEREWITH:

- Supplemental Information Disclosure Statement;
- Form PTO-1449;
- Reference AD; and
- Our return postcard

No fees are believed to be necessary. If, however, any fees are required, I authorize the Commissioner to charge these fees which may be required to Deposit Account No. 09-0447. No extension of time is believed to be necessary. If, however, an extension of time is required, the extension is requested, and I authorize the Commissioner to charge any fees for this extension to Deposit Account No. 09-0447.

Respectfully submitted,

  
Gerald H. Glanzman

Registration No. 25,035

Duke W. Yee

Registration No. 34,285

**YEE & ASSOCIATES, P.C.**

P.O. Box 802333

Dallas, Texas 75380

(972) 385-8777

ATTORNEYS FOR APPLICANTS



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

**Levine et al.**

Serial No: **10/675,751**

Filed: **September 30, 2003**

Title: **Method and Apparatus to  
Autonomically Select Instructions for  
Selective Counting**

Group Art Unit: **2191**

Intellectual Property  
Law Department  
International Business  
Machines Corporation  
11400 Burnet Road  
Austin, Texas 78758

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants submit herewith patents, publications or other information of which they are aware, which they believe may be material to the patentability of this application and in respect of which there may be a duty to disclose in accordance with 37 C.F.R. 1.56.

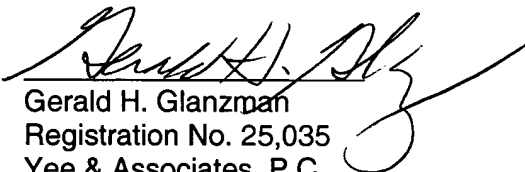
While this Supplemental Information Disclosure Statement may be "material" pursuant to 37 C.F.R. 1.56, it is not intended to constitute an admission that any patent, publication or other information referred to herein is "prior art" for this invention unless specifically designated as such.

In accordance with 37 C.F.R. 1.97(g) the filing of this Supplemental Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56 (b) exists.

No item of information cited in this Supplemental Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in this Supplemental Information Disclosure Statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of this Supplemental Information Disclosure Statement.

In the event a fee is required in connection with the enclosed Supplemental Information Disclosure Statement, the Commissioner of Patents and Trademarks is authorized to charge Deposit Account No. 09-0447 for the necessary amount.

Respectfully submitted,



Gerald H. Glanzman  
Registration No. 25,035  
Yee & Associates, P.C.  
P.O. Box 802333  
Dallas, Texas 75380  
Telephone: (972) 385-8777

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Substitute for form 1449/PJON 26 2006

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT****Complete if Known**

Application Number	10/675,721
Filing Date	09/30/2003
First Named Inventor	Levine et al.
Examiner Name	Nahar Qamrun
Art Unit	2191
Attorney Docket No.	AUS920030483US1

Examiner Initials	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
AA	5,857,097	01-05-1999	Henzinger et al.	
AB	6,820,155	11-16-2004	Ito	
AC	5,745,770	04-28-1998	Thangadurai et al.	

**FOREIGN PATENT DOCUMENTS**

Examiner Initial	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear

**NON PATENT LITERATURE**

Examiner Initial	Include name of author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
AD	MERTEN et al., "A Hardware Driven Profiling Scheme for Identifying Program Hot Spots to Support Runtime Optimization", IEEE, 1999, pp. 136-147.

Examiner:

Date Considered:

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

**BEST AVAILABLE COPY**